

**RESOLUTION NO. 2019-15**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE  
VILLAGE OF KEY BISCAYNE, FLORIDA, SUPPORTING  
FLORIDA HOUSE BILL 797 AND SENATE BILL 796  
RELATING TO PUBLIC UTILITY STORM PROTECTION  
PLANS; PROVIDING FOR SUPPORT OF THE MEASURES  
IN THE VILLAGE'S LEGISLATIVE AGENDA;  
PROVIDING FOR TRANSMITTAL; AND PROVIDING  
FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Village of Key Biscayne ("Village") Council believes that promoting storm protection activities will reduce restoration costs and outage times, increase reliability, and mitigate damage; and

**WHEREAS**, House Bill 797 and Senate Bill 796 (the "Bills") have been filed for consideration during the Florida Legislature's 2019 session; and

**WHEREAS**, the Bills provide various findings including that protecting and strengthening transmission and distribution electric utility infrastructure from extreme weather conditions will reduce restoration costs and outage times to customers and improve overall service reliability for customers, and that all customers benefit from the reduced costs of storm restoration; and

**WHEREAS**, the Bills seek to require public utilities to file with the Florida Public Service Commission ("PSC") a transmission and distribution storm protection plan as part of the utility's storm hardening plan required by Section 366.04(2)(c), Florida Statutes; and

**WHEREAS**, the transmission and distribution storm protection plan required by the Bills would mean a plan for the overhead hardening of electric transmission and distribution facilities, undergrounding of electric distribution facilities, and increased vegetation management; and

**WHEREAS**, the Bills further seek to require a storm protection cost recovery clause (which must be stated separately from the utility's base rates on a customer's bill) and require the

PSC to conduct an annual proceeding to allow public utilities to justify and recover transmission and distribution storm protection plan costs through the cost recovery clause; and

**WHEREAS**, the Village Council supports the Bills and urges the Florida Legislature to approve the Bills; and

**WHEREAS**, the Village Council finds that this Resolution is in the best interest and welfare of the residents of the Village.

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:**

**Section 1.**     **Recitals.** That each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

**Section 2.**     **Support.** That the Village Council hereby supports the Florida Legislature's approval of the Bills.

**Section 3.**     **Inclusion in Legislative Agenda.** That the Village Council directs that support of the Bills, or similar legislation, be included in the Village's legislative agenda.



**Section 4.**     **Transmittal.** That the Village Council hereby directs the Village Clerk to transmit a copy of this Resolution to the Miami-Dade County State Legislative Delegation, the Speaker of the Florida House of Representatives, the President of the Florida Senate, and the Florida Governor.

**Section 5.**     **Effective Date.** That this Resolution shall be effective immediately upon adoption.

PASSED and ADOPTED this 19<sup>th</sup> day of MARCH, 2019.

ATTEST:

  
JENNIFER MEDINA, CMC  
VILLAGE CLERK

  
MICHAEL W. DAVEY, MAYOR  


APPROVED AS TO FORM AND LEGAL SUFFICIENCY

  
VILLAGE ATTORNEY